

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FRED ALSTON AS A TRUSTEE OF THE
LOCAL 272 LABOR MANAGEMENT
PENSION FUND, et al.,

Plaintiffs,

v.

CENTERPARK SERVICES LLC, et al.,
Defendants.

23-CV-9362 (DEH)

ORDER

DALE E. HO, United States District Judge:

On February 12, 2024, Plaintiffs filed a motion for a default judgment under Federal Rule of Civil Procedure 55(b)(2) and Local Civil Rule 55.2(b). *See* ECF No. 16.

It is hereby ORDERED that Defendants shall file any opposition to the motion for default judgment by **February 26, 2024**. Defendants are cautioned that corporate entities may appear in federal court only through licensed counsel, *see Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007), and where such an entity “repeatedly fails to appear by counsel, a default judgment may be entered against it,” *Grace v. Bank Leumi Tr. Co. of N.Y.*, 443 F.3d 180, 192 (2d Cir. 2006) (internal quotation marks omitted).

It is further ORDERED that Defendants appear and show cause before this Court on **March 5, 2024, at 3:00 p.m. EST**, why an order should not be issued granting a default judgment against Defendants. Unless and until the Court orders otherwise, the conference will be held remotely by telephone in accordance with Paragraph 3.B of the Court’s Individual Rules and Practices in Civil Cases. The parties should join the conference by calling the Court’s dedicated conference line at (646) 453-4442 and using access code 538 729 464, followed by the pound (#) key.

In the event that any Defendant appears or opposes the motion for default judgment prior to that date, the parties shall prepare to treat that conference as the initial pretrial conference with respect to any such appearing Defendant. That is, if any Defendant appears, opposes the motion, or seeks a *nunc pro tunc* extension of time to respond to the complaint, then the parties — including any such appearing Defendant — shall follow the pre-conference procedures specified in the Court’s Order of December 20, 2023 including by submitting a joint letter addressing certain topics and a proposed case management plan no later than **February 27, 2024**. *See* ECF No. 15.

It is further ORDERED that Plaintiffs serve Defendants via Federal Express with (1) a copy of the motion for default judgment and all supporting papers; and (2) a copy of this Order by **February 16, 2024**. In each case, within **three business days of service**, Plaintiffs must file

proof of such service on the docket.

Finally, it is ORDERED that the initial pretrial conference previously scheduled for **February 27, 2024** is ADJOURNED *sine die*.

SO ORDERED.

Dated: February 14, 2024
New York, New York

A handwritten signature in black ink, appearing to read 'Dale Ho', is written above a horizontal line.

DALE E. HO
United States District Judge